

Remarks/Arguments

Reconsideration of the above-identified application in view of the present amendment is respectfully requested. By the present amendment, claims 1, 5, and 6 have been amended. Claims 1-11 are pending.

Preliminary Matters

The German Document DE3310385 A1 cited in the IDS filed April 2, 2007 and written in German was not considered by the Examiner because a concise explanation of relevance was not provided. DE3310385 A1 claims priority to U.S. Appln. Serial No. 360,201, filed March 22, 1982, now U.S. Patent No. 4,601,497. Accordingly, DE3310385 A1 corresponds with English-written counterpart US 4,601,497 and, thus, should be considered by the Examiner.

Specification

The Abstract was objected to under MPEP §608.01(b) for including legal phraseology and implied phrases. The Abstract has been amended to comply with MPEP §608.01(b) and, thus, it is believed that the objections to the Abstract have been overcome.

Furthermore, the disclosure was objected to because of informalities. The disclosure has been amended to correct these informalities and, thus, it is believed that the objections to the disclosure have been overcome.

Claim Objections

Claims 1-11 were objected to under 37 C.F.R. §1.75(i) because of informality. In particular, claim 1 was objected to for failing to differentiate each element of the claim by line indentation. Claim 1 has been amended to correct this informalities and, thus, it is believed that the objection to claim 1 has been overcome.

Furthermore, claim 11 was objected to for the recitation of "[characterized in that]". This recitation, however, was removed in the Response to Notice of Non-Compliant Amendment dated August 4, 2008. Accordingly, it is respectfully submitted that the objection to claim 11 be withdrawn.

Rejections under 35 U.S.C. §112

Claims 5, 6, and 8 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In particular, claim 5 was rejected for the recitation of "and/or" and for failing to provide antecedent basis for the recitation of "the outer clamps (18)". The dependency of claim 5 has been amended to provide antecedent basis for the recitation of "the outer clamps" and, thus, it is believed that that rejection of claim 5 has been overcome.

Regarding the rejection of claim 5 as allegedly being indefinite for the recitation of "and/or", it is respectfully submitted that the rejection be withdrawn. As noted in the MPEP, "[a]lternative expressions are permitted if they present no uncertainty or ambiguity with respect to the question of scope or clarity of the claims" (MPEP §2173.05(h)). In the present case, the recitation in claim 5 that "the retaining

structure exhibits projections (19) that are formed on the inner section (17) and/or the outer clamps (18) on the inner part (13)" is believed to be unambiguous in scope.

Specifically, according to claim 5, the projections (19) are formed:

1) on the inner section (17), or

2) on the outer clamps (18), or

3) on the inner section and the outer clamps. There are no additional or alternative constructions for the projections according to claim 5. Since claim 5 provides for a definite number of constructions for the projections – three – claim 5 is unambiguous in scope and, thus, definite. Accordingly, it is respectfully submitted that this rejection to claim 5 be withdrawn.

Claims 6 and 8 were also rejected for failing to provide antecedent basis for the recitation of "the outer clamps (18)". The dependency of claim 6 has been amended to provide antecedent basis and claim 8 has been amended accordingly. Therefore, it is believed that the rejection of claims 6 and 8 has been overcome.

In view of the foregoing, it is submitted that the application is in condition for allowance and allowance is respectfully requested.

Please charge any deficiency or credit any overpayment in the fees for this amendment to our Deposit Account No. 20-0090.

Respectfully submitted,

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